RESOLUTION NO. 3005

RESOLUTION AUTHORIZING THE MAYOR TO SIGN A TWO-PAGE, LETTER-STYLE AGREEMENT TO EXTEND THE END DATE OF THE INTERLOCAL AGREEMENT PREVIOUSLY ENTERED INTO BY THE CITY VIA ITS RESOLUTION NO. 2852 WITH THE YAKIMA COUNTY RIGHT-OF-WAY DEPARTMENT FOR ACQUISITION SERVICES RELATIVE TO THE CITY'S VALLEYVIEW AVENUE, SOUTH THIRD STREET AND SOUTHERN AVENUE IMPROVEMENTS PROJECT

WHEREAS, in mid-2021, the City Council approved Resolution No. 2852, which authorized the Mayor to sign an Interlocal Agreement with Yakima County whereby the City would receive right-of-way acquisition services from Yakima County relative to the City's Valleyview Avenue, South Third Street and Southern Avenue Improvements Project; and

WHEREAS, the originally-contemplated end date for such Interlocal Agreement was December 31, 2022, which was approximately three-and-one-half months ago; and

WHEREAS, Yakima County is still receiving and processing underlying invoices from involved contractors; and

WHEREAS, Yakima County is requesting to extend the end date of the Interlocal Agreement to June 30, 2023, so that all invoices can be processed without any confusion or obstacle due to the Interlocal Agreement still reciting an end date of December 31, 2022; and

WHEREAS, City staff has prepared a two-page, letter-style agreement that will effectuate the extension of the Interlocal Agreement's end date; and

WHEREAS, the City Council finds good cause to authorize the Mayor to sign the letter in the form appended hereto;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, that the Mayor be and is authorized to the two-page, letter-style agreement in the form appended hereto.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 25th day of April, 2023.

Sherry Raymond
Sherry Raymond, Mayor

ATTEST:

Dale Novobielski, Clerk Treasurer

APPROVED AS TO FORM:

Rob Case, City Attorney

CITY OF SELAH

Public Works Department
222 S. Rushmore Road
Selah, WA 98942

P: 509-698-7365
F: 509-698-7372

April 25, 2023

Jase Testerman
County Roads Right of Way
128 N. 2nd Street, Fourth Floor County Courthouse

RE: (STPUS 4709 001) City of Selah's Valleyview Ave/South Third Street/ Southern Avenue Improvements Project
Interlocal Agreement entered into June 2021

Dear Mr. Testerman:

The City of Selah is in the right-of-way acquisition phase of its ongoing Valleyview Ave/South Third Street/Southern Ave Improvements Project. Such Project will include construction of sidewalk, curb and gutter, storm drainage, sewer main, and street lighting.

In June 2021, an Interlocal Agreement was entered into between Selah (via its Resolution No. 2852 and the Mayor's signature on the Agreement) and Yakima County (via its Resolution No. 157-2021 and appropriate approval signature(s)) whereby Yakima County's Right-of-Way Department (identified below as Yakima County) would provide acquisition services to Selah on this Project. Some of the relevant terms are, in summary form, the following:

Yakima County shall administrate all Right of Way Services on this project for the City of Selah. All tasks shall follow the WSDOT Approved Acquisition Procedures requirements for the City of Selah.

Yakima County shall assign these professional tasks of title, appraisal, and acquisition as necessary and coordinated with the City.

Commitment to the Procedures, team communication and schedules throughout the project is assured by all parties and their assigns.

<u>Itemized Task Assignment</u>

Obtain title reports, title review and title clearance as appropriate for the portions of parcels necessary for construction.

Provide Appraisals/Administrative Offer Summaries for the necessary acquisitions.

Prepare offer letter package documents and fully execute all acquisition transaction requirements.

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All necessary rights will be acquired in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies of 1970, as amended and CFR 49, part 24.

Required WSDOT Local Programs coordination for necessary FHWA right of way certification.

File production, delivery, and consultant retention.

Schedule

Task start date shall be July 1, 2021, Task end date shall be December 31, 2022.

Manifestly, the originally-contemplated end date of the Interlocal Agreement of December 31, 2022, was roughly three-and-one-half months ago. However, the City understands that Yakima County is continuing to receive and process underlying invoices from involved contractors. Moreover, the City understands that Yakima County is accordingly requesting to extend the end date of the Interlocal Agreement for a period of time, so that all invoices can be processed without any confusion or obstacle due to the Interlocal Agreement still reciting an end date of December 31, 2022.

The City is willing to recognize, grant and agree to such an extension. Likewise, the City is willing to affirm that the Interlocal Agreement has continued in full force and effect from December 31, 2022, to the date of the instant letter-style agreement, and shall now run – per the instant letter-style agreement – to the new end date of June 30, 2023.

When communicating about and charging for your work, please reference the City of Selah's Valleyview Ave/South 3rd Street/Southern Ave Improvements Project.

Sincerely,

Accepted and approved: 04-25-23
Date

Sherry Raymond
Title: MAYOR, CITY OF SELAH

Jase Testerman / Right Of Way Manager